THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE DR.JUSTICE G.YETHIRAJULU

WRIT APPEAL NO.1705 OF 2005.

Between

The Regional Manager,APSRTC, Vijayawada

….Appellant

And

1K.Subbaiah babu, c/o Regional

Secretary,, National Mazdoor Union,

APSRTC, Vijayawada and another.

….Respondents

JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal.

The unsuccessful writ petitioner/corporation/ Management is the appellant herein who seeks to assail the order dismissing the writ petition filed by them as against the award of the Labour Court under reference at the instance of the 1st respondent herein as against the orders of punishment imposed. Ultimately having found that the 1st respondent has paid back the amount which was involved, the said punishment was confirmed and having regard to the discretionary exercised by the Labour Court, there are no reasons to entertain the writ petition under Article 226 of the Constitution of India and accordingly dismissed the writ petition. Hence the writ

appeal.

Having considered the submissions made and also having regard to the fact that the finding of guilty on the part of the 1st respondent as was undisturbed and confirmed also, we do not find any merits in the appeal warranting any interference by this Court.

Accordingly, the writ appeal is dismissed. No costs.

B.PRAKASH RAO, J

G.YETHIRAJULU, J

Dated: 19-09-2005

Hsd